

new - private law - the concept of moral regulation and property relations based on legal equality, free will, property independence of their participants.

According to Article 1164 Civil Code of Ukraine in case of failure to eliminate the threat to life, health, property or property of an individual legal person concerned has the right to demand:

- 1) taking urgent measures to eliminate the threat;
- 2) compensation for damages;
- 3) prohibit activities that pose a threat.

This article provides a list of tools encouraging someone who poses a threat to property or property of an individual entity, to ensure that it removed the danger.

In case of failure to eliminate the threat of an individual or legal person property concerned may use several options are proposed to her behavior. In particular, it may require taking urgent measures to eliminate such a threat. Actually, it duplicated the provisions of Article 1163 CC, but if it was it rather the very possibility of the relevant obligations, in Art. 1164 CC already secured subjective right of the person concerned to take measures to protect their civil rights.

Damage is a necessary condition of civil liability for failure to eliminate the threat of natural person or legal person property. Another essential condition such liability is wrongful act. Terms persons liable for the failure to eliminate the threat of injury, is also, firstly, the causal relationship between the action (or inaction) and the risk of injury, and secondly, the causal link established between the danger and the damage that occurred. In addition, the condition of responsibility of the person who created the threat of natural persons or legal entities property is the presence of fault in making the threat, and therefore in non-compliance to eliminate this threat. However, we conclude that this category of cases is the most important proof of a threat of natural or legal person as the basis of the relevant obligations between the parties is in fact the greatest difficulty.

To sum up, liabilities arising from endangering property or property of an individual legal entity belonging to non-contractual obligations. However, they are not tortious liabilities in the strict sense of the word, and can be evaluated as alleged tort liability because the differences are of legal tort for varieties subject composition, the grounds and conditions of, the nature of the legal consequences, etc.

DEVELOPMENT OF CITY'S SOCIALITY AS AN IMPERATIVE OF CREATION A DEMOCRATIC CITY COMMUNITY

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One of the most important concepts for characterization of urban changes is urban space. The space has become an important topic in sociology and philosophy in the latest decades. The urban space as a complex reality is something that differs the

city from the rural area. However, the space as it is seen by modern researchers is not simply a sum of material landscapes. Scientists distinguish at least three types of space: “real” space (physical space that includes buildings, roads and other tangible objects), “imaginary” space (invented by a person and constructed in the minds) and “real-and-imaginary” space where local residents live using it (lived space of ideas or the “third space” as it is called by Edward Soja.)

The idea is to form the city community through the concept of lived space. According to French urbanist Lefebvre each society makes its own space and the modern society is an urbanistic one in relation to the lived space it creates. Urban space differs from the two other types of space (rural and industrial), which are also determined by Lefebvre.

The urban space is defined as a differentiated one, which is counter positive to the homogeneity and rational unity of the previous types of space in the industrial cities. This space is controversial because it is multilevel, multivoiced and multilived.

Differential urban space is created by the local population, which is its participant. It can be the space of democracy, which is created and managed by the people who inhabit it. Described by Lefebvre “the right for the town” is the right of the local citizens to own it and take part in its development. The examples of such actions in the created and adopted space are known around the world. The most prominent illustrations are the “Arabic spring”, the “Capture Wall Movement” and the “Maidan” in Ukraine.

According to Zimmel, space is an accumulation of "rotation points". A citizen "rotates in different circles" and contacts different social and cultural worlds. Availability of a common space means that previously independent elements have contacted each other. Space is the place of integration of various spiritual elements: attitudes, values, meanings, etc.

In our opinion, the reason for pessimism in connection to urban public spaces is often a reduction in the intensity of specific forms of social life, disappearance of certain types of social activities that correspond to the classic definition of publicity. At the same time the real processes taking place in the cities, including emergence of new social forms go unnoticed and an appropriate unbiased analysis is not used. Probably, it is necessary to look for new ways of organizing the public life in the cities, in particular, a new definition, a new vision, a new understanding of the recent social processes are needed as well as the criteria which allow to see the new public space. In our opinion, the philosophy of the city should become the theoretical and methodological basis for this development.

Formation of the social space, where a philosophical "gathering" of the man in the relationship with the objects takes place, is a fundamental philosophical problem.

To solve this problem, a research is needed on two levels: on the theoretical level that represents a philosophical dimension and the value scale of the phenomena as well as on the applied level, which assumes programs and projects for development of public spaces having important influence on the transformation of cities' social life and formation of the urban community.

Public spaces created by man show that a person is an active, pragmatic human

beings having an inclination to purposefully transform the habitat as well as a social being. The concept of the human being philosophical "gathering" is intended to mark a unique, personality-filled body of culture texts bound together by the information space of "cultural nests" (a city being considered here as a "cultural nest").

A city as a "cultural nest" is the result and the object of the creative activity of the human being. It covers practically all kinds of activities. Since the activity is of the cooperative character and is practically a co-activity, a "cultural nest" is a quintessence of sociality.

Thus, culture as a system of values associated with a place and history, it penetrates all the fields of human activities, connects a human being with the space of residence, determines relationships with other people. However, the "expansion of culture" discussed today not only by philosophers and researchers of culture studies but also by economists, political scientists, sociologists, managers, is not just a metaphor reflecting a growing importance of culture in the modern world. The concept means formation of a new environment of values, communication, sources, in which consumption of cultural products and services recedes into background, and providing opportunities for creative self-expression and self-realization steps forward. This is not only a process of technologies and communications development and emergence of new genre systems in art but also a political and macroeconomic processes described by modern researchers as development of a creative economy.

THE RIGHT OF RESIDENCE OF INTERNALLY DISPLACED PERSONS

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Political and economic life of Ukraine, social values and orientations has changed lately. Human rights are among social priorities in Ukraine. Everyone knows why human rights are important. They are important because without them there could be no human dignity. Life without them, many people think, would not be worth living. In the words of the preamble to the Universal Declaration of Human Rights "recognition of the inherent dignity and of the equal and inalienable rights of all members of human family is the foundation of freedom, justice and peace in the world".

Ukrainian scientists such as V.M. Kossak, I.A. Biryukov and Z.V. Romovska have made significant contribution to the development of the doctrine of human rights. In our work, we want to pay more attention to the right of residence.

According to the article 310 of the Civil Code of Ukraine "An individual has the right of residence". Its aim is to protect, first of all, homeless people. This rule should stimulate public authorities and local governments to provide orphans by hostels and to give them credits for housing.